

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

*Plaintiff,*

VS.

MAURICIO CHAVEZ, GIORGIO  
BENVENUTO and CryptoFX, LLC,

*Defendants.*

CBT Group, LLC,

*Relief Defendant.*

CIVIL ACTION NO. 4:22-CV-03359

JUDGE ANDREW S. HANEN

**ORDER AUTHORIZING PAYMENT OF RECEIVER'S  
FIRST CERTIFIED INTERIM FEE APPLICATION**

On February 23, 2023, John Lewis, Jr., the Court-appointed Receiver for Mauricio Chavez (“Chavez”), Giorgio Benvenuto (“Benvenuto”), CryptoFX, LLC (“CryptoFX”), and CBT Group, LLC (“CBT”), filed a Motion Authorizing Payment of Receiver’s First Certified Interim Fee Application (“FCIFA”), which seeks approval of the fees incurred by the Receiver and Receiver’s Retained Professionals from September 29, 2023 (date of entry of the Receivership Order, Doc No. 11) through December 31, 2022 (the “FCIFA Period”).

Pursuant to the Receivership Order, paragraph 58, the Receiver served a copy of the proposed FCIFA, together with all exhibits and billing information to counsel for the SEC. The Receiver and counsel for the SEC have conferred about the FCIFA and its compliance with the SEC Billing Guidelines and this Court’s Receivership Order, including the \$120,000 cap for fees incurred during the first 60-day period of the Receiver’s appointment (September 29, 2022 – November 29, 2022) (“First 60 Day Fee Cap). To satisfy the First 60 Day Fee Cap and the 20%

fee holdback provisions under the Receivership Order, the Receiver has agreed to a total holdback of \$130,607.06 equaling a 29.9% of the aggregate fee request with the balance of this FCIFA to be immediately payable. Based upon its conferrals with the Receiver, the SEC does not oppose the Receiver's proposal. The Court finds and determines that good cause exists to approve the agreement as between the Receiver and SEC and to adopt the same as the order of this Court. Accordingly, the Court finds and determines as follows:

(a) The Receiver's Motion Authorizing Payment of Receiver's FCIFA should be and hereby is granted; it is further ordered that

(b) The Receiver is hereby conditionally awarded fees incurred during the FCIFA in the amount of \$89,722.50; it is further ordered that

(c) The Receiver's Retained Professionals are hereby conditionally awarded fees incurred during the FCIFA as follows: Shook Hardy & Bacon, LLC for \$213,538.00, Hays Financial for \$132,832.40 and Pugh Accardo for \$720.00; it is further ordered that

(d) The fees awarded in paragraphs (a), (b) and (c) above are authorized conditionally and are subject to both the First 60 Day Fee Cap (Receivership Order, paragraph 51) and to the 29.9% fee holdback.

(e) Pursuant to the Receivership Order, the Receiver shall file a final fee application at the close of the Receivership requesting final approval of this and all other fees that may be subject to hold back during the pendency of this receivership. Accordingly, it is therefore ordered that

(f) The Receiver is authorized to immediately pay fees requested in the FCIFA to the Receiver in the amount of \$62,895.47; to Shook Hardy and Bacon, LLP in the amount of \$149,690.14; to Hays Financial in the amount of \$93,115.51; and to Pugh Accardo in the amount of \$504.72.

(g) Further, the Court finds and determines that the out-of-pocket costs and expenses incurred by the Receiver in the ordinary course of the administration and operation of the Receivership, in the aggregate amount of \$68,430.66 and as set out more fully in the FCIFA, were reasonable and necessary and should be approved for immediate reimbursement by the Receiver. The Court authorizes the Receiver to reimburse these expenses in the aggregate amount of \$68,430.66.

(h) Accordingly, IT IS HEREBY ORDERED that the Court approves the Receiver's First Certified Interim Fee Application subject to and to the extent provided for herein.

IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2023.

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JUDGE ANDREW S. HANEN  
UNITED STATES DISTRICT JUDGE